

Statement on Signing the Help America Vote Act of 2002

October 29, 2002

Today I have signed into law H.R. 3295, the “Help America Vote Act of 2002.” This Act comports with the basic principles set forth in the final report of the bipartisan National Commission on Federal Election Reform, which I endorsed in July of 2001. Consequently, the Act appropriately respects the primacy of State and local governments in the administration of elections, while helping to ensure the integrity and efficiency of voting processes in Federal elections by providing Federal governmental support for that vital endeavor.

Section 203(a)(2) of the Act mandates that members of the congressional leadership submit to the President recommendations of persons to be appointed to the Election Assistance Commission—an entity, created by the Act, that will exercise significant governmental functions of an executive nature. The executive branch will not construe this provision as establishing the submission of congressional recommendations as a condition precedent to presidential nomination of persons for appointment to the Commission. Such a construction would impose impermissible constraints on presidential power under the Appointments Clause of the Constitution.

Section 203(a)(4) purports to require the President to make appointments to the Commission no later than 120 days after enactment of the new law. As with the provision regarding recommendations for appointment, this deadline unduly circumscribes the presidential appointment power. Moreover, this deadline is practically impossible to satisfy given the time required for the pre-nomination personnel process and confirmation by the full Senate. For these reasons, the executive branch shall interpret this provision as advisory.

Section 902(c) would authorize the Comptroller General, an officer of the legislative branch, to make determinations that would impose binding payment obligations upon entities outside that branch. Because this provision attempts to vest executive functions in the Comptroller General, it violates the

constitutional principle of separation of powers.

Finally, the executive branch shall implement section 101, concerning the provision of voting assistance, in a manner consistent with the equal protection requirements of the Due Process Clause of the Fifth Amendment to the Constitution.

George W. Bush

The White House,
October 29, 2002.

NOTE: H.R. 3295, approved October 29, was assigned Public Law No. 107–252.

Proclamation 7615—National Family Caregivers Month, 2002

October 29, 2002

*By the President of the United States
of America*

A Proclamation

One of our most important responsibilities as citizens is to give back to our communities. Individuals who care for loved ones in their homes demonstrate the compassionate spirit of America. During National Family Caregivers Month, we honor these individuals who bring hope and comfort to their fellow citizens in need.

America’s family caregivers are vital to the strength of our communities. Through specialized care for family members with disabilities or those who are aging or chronically ill, millions of caregivers help their loved ones live in a comforting environment. As the size of our elderly population continues to grow, home care increasingly represents an important, dignified, and compassionate alternative for countless individuals.

To support and train families at all stages of caregiving, the Administration on Aging provides community-based assistance through the “National Family Caregiver Support Program.” This network of community service providers, faith-based organizations, tribal organizations, State and local agencies on aging, and hundreds of thousands of volunteers informs caregivers that they are not alone, and that help is always available

through counseling, support groups, training, respite care, and supplemental services.

As we work to build a culture of service, responsibility, and compassion, caregivers continue to bring our families and communities together. Through their efforts to assist loved ones in need, family caregivers demonstrate the true spirit of our Nation.

Now, Therefore, I, George W. Bush, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 2002 as National Family Caregivers Month. I encourage all Americans to pause to honor the family members, friends, and neighbors who shoulder caregiving responsibilities.

In Witness Whereof, I have hereunto set my hand this twenty-ninth day of October, in the year of our Lord two thousand two, and of the Independence of the United States of America the two hundred and twenty-seventh.

George W. Bush

[Filed with the Office of the Federal Register, 10:34 a.m., October 31, 2002]

NOTE: This proclamation was published in the *Federal Register* on November 1.

Notice—Continuation of the National Emergency With Respect to Sudan

October 29, 2002

On November 3, 1997, by Executive Order 13067, the President declared a national emergency with respect to Sudan pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701–1706) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of the Government of Sudan, including continuing concern about the presence and activities of certain terrorist groups, including Hamas and Palestinian Islamic Jihad, and the prevalence of human rights violations, including slavery, restrictions on religious freedom, and restrictions on political freedom. Because the actions and policies of the Government of Sudan continue to pose

an unusual and extraordinary threat to the national security and foreign policy of the United States, the national emergency declared on November 3, 1997, and the measures adopted on that date to deal with that emergency must continue in effect beyond November 3, 2002. Therefore, in accordance with section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)), I am continuing for 1 year the national emergency with respect to Sudan.

This notice shall be published in the *Federal Register* and transmitted to the Congress.

George W. Bush

The White House,
October 29, 2002.

[Filed with the Office of the Federal Register, 11:11 a.m., October 30, 2002]

NOTE: This notice was released by the Office of the Press Secretary on October 30, and it was published in the *Federal Register* on October 31.

Letter to Congressional Leaders on Continuation of the National Emergency With Respect to Sudan *October 29, 2002*

Dear Mr. Speaker: (Dear Mr. President:)

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent the enclosed notice, stating that the Sudan emergency is to continue in effect beyond November 3, 2002, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on October 31, 2001 (66 *Fed. Reg.* 55869).

The crisis between the United States and Sudan constituted by the actions and policies of the Government of Sudan, including continuing concern about the presence and activities of certain terrorist groups, including